

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TONY A. RAMIREZ,
Petitioner,

No. C 08-4831 MHP (pr)

ORDER OF TRANSFER

v.

ANTONY HEDGPETH, Warden,
Respondent.

Tony A. Ramirez has filed a petition for writ of habeas corpus to challenge his conviction from the San Joaquin County Superior Court. San Joaquin County lies within the venue of the Eastern District of California. Ramirez is currently incarcerated in a state prison in Delano, in Kern County, also within the venue of the Eastern District of California. Venue is proper in a habeas action in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, a petition challenging a conviction is preferably heard in the district of conviction. Habeas L.R. 2254-3(b). Because petitioner is confined in, and the conviction occurred in, the Eastern District of California, pursuant to 28 U.S.C. § 1404(a) and Habeas L.R. 2254-3(b), and in the interest of justice, this action is TRANSFERRED to the United States District Court for the Eastern District of California. The clerk shall transfer this matter.

IT IS SO ORDERED.

DATED: December 18, 2008


Marilyn Hall Patel
United States District Judge